

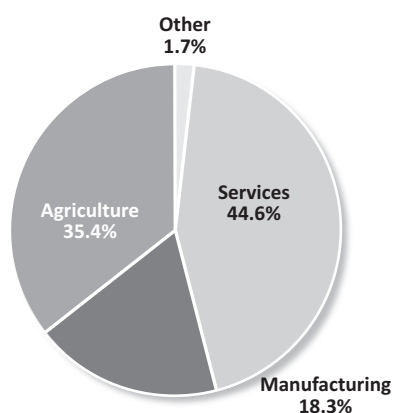
In 2012, Colombia made a significant advancement in efforts to eliminate the worst forms of child labor. The Government amended the Labor Code to increase fines for labor violations substantially, including child labor violations, and conducted 1,638 inspections to verify labor conditions for adolescent workers. The Government also converted the conditional cash-transfer program, Families in Action, into a national policy to combat poverty with a guaranteed budget allocation regardless of changes in the political administration. It established priority sectors in which to combat child labor under its national policy against child labor, including child labor in mining as well as sugar and coffee production. However, lack of inter-agency coordination and adequate resources hinder efforts to more effectively combat child labor and human trafficking. Children continue to be forcibly recruited by non-state armed groups and continue to engage in other worst forms of child labor, particularly in hazardous activities in agriculture and street work.



Statistics on Working Children and Education

Children	Age	Percent
Working	5-14 yrs.	8.6 (752,526)
Attending School	5-14 yrs.	92.6
Combining Work and School	7-14 yrs.	9.0
Primary Completion Rate		111.7

Working Children by Sector, Ages 5-14



Sources:

Primary completion rate: Data from 2011, published by UNESCO Institute for Statistics, 2013.(1)

All other data: Understanding Children's Work Project's analysis of statistics from ENNA Survey, 2011.(2)

Prevalence and Sectoral Distribution of the Worst Forms of Child Labor

Children in Colombia are engaged in the worst forms of child labor, many in hazardous activities in agriculture and street work.(3-7) In agriculture, some children are involved in the production of coffee and sugarcane. Although the extent of the problem is unknown, there are reports that children are also found working in cotton and rice production.(4, 8-10) Children are engaged in the production of illegal crops such as coca (an illegal stimulant). Evidence suggests that children as young as age 7 are engaged in the production of coca; in some cases, children are forced by non-state armed groups to work in its production and processing.(4, 11-13) Although evidence is limited, there are reports that children are involved in poppy and marijuana production.(4, 12) Children working in agriculture may use dangerous tools, carry heavy loads, and apply harmful pesticides.(14, 15)

Children work and live on the streets. In Cali, more than 60,000 children work on the streets and 1,000 live on the streets; in Medellín, during the last 3 years, more than 11,000 children were forced to live on the streets due to domestic violence, poverty, unemployment, and displacement.(5, 16) Children who work on the streets are engaged in begging, commercial sexual exploitation, garbage scavenging, and street vending. Children involved in begging and commercial

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sexual exploitation are vulnerable to labor exploitation, human trafficking, and drug consumption.(5-7, 12, 16-18) Child garbage scavengers are exposed to dangerous waste and toxic substances such as lead and sulfuric acid.(18)

Children are also engaged in artisanal mining, which exposes them to toxic gases, long hours, explosives, and dangerous chemicals such as nitric acid. They mine emeralds, gold, clay, and coal; they work breaking rocks, digging with picks or their bare hands, removing water from mines, and lifting heavy loads.(19-22) Limited evidence suggests that indigenous *Wayúu* children work alongside their families in the production of gypsum (a white or colorless mineral), salt, and talc, and that indigenous *Kametsa* and *Inga* adolescents are engaged in logging.(4)

Domestic service is another common form of child labor in Colombia. Rural and indigenous families often send their children to urban households to become domestic workers.(4, 12, 23) These children may work long hours performing household chores; they are vulnerable to physical and sexual abuse at the hands of their employers, and they are often denied salaries and time off.(4, 15) There is evidence to suggest that some children are forced by adults and non-state armed groups to perform domestic work.(12)

Children are also engaged in commercial sexual exploitation, including child pornography.(16, 24-26) In the province of Sucre, indigenous *Zenous* children are sometimes the victims of sex tourism. In Bogotá, underage boys and girls are solicited for sexual purposes.(4, 26) In Cúcuta, criminal groups use the Internet and cell phones to engage children in commercial sexual exploitation.(12, 26) Children are also trafficked domestically and internationally for the purpose of commercial sexual exploitation.(12, 26-29) Reportedly, children from Ecuador are trafficked into Colombia for the purpose of labor exploitation.(12, 30, 31) Children are used by adults for illegal activities such as the transport and sale of illicit drugs. Indigenous *Wayúu*, *Kankuamo*, and *Wiwa* children have been involved in the illegal sale of gasoline from Venezuela.(4, 28, 29)

Children continue to be forcibly recruited by illegal armed groups.(31-34) Reports estimate that 11,000 to 14,000 children, including indigenous children, act as combatants in various non-state armed groups.(35, 36) According to a 2012 study, boys and girls are recruited in rural and urban areas. They perform intelligence and logistical activities; store and transport weapons, explosives, and chemical precursors to process narcotics; and participate in operations.(33) Girls are subject to sexual exploitation as a way to gather information

or pay favors. Although the Government of Colombia and the Armed Revolutionary Forces of Colombia (FARC) began peace negotiations in 2012, the FARC continues to recruit children into its ranks.(37, 38) Child recruitment has not been included in the peace negotiations agenda.(39, 40) Children from Ecuador and Panama are also recruited by Colombian non-state armed groups.(34, 41, 42)

Children's access to education is complicated by the armed conflict, displacement, long distances, and sometimes-impassable routes between their homes and schools.(43-46)

Laws and Regulations on the Worst Forms of Child Labor

The Code for Children and Adolescents sets the minimum age for work at 15. Children younger than age 15 may perform artistic, sports, or cultural work with authorization from the labor inspectorate or local authority, and adolescents ages 15 to 17 can work only with authorization from a labor inspector or relevant local government official.(47) The Code for Children and Adolescents also sets the minimum age for hazardous work at 18.(47) The Labor Code prohibits children younger than age 18 from work in underground mining and industrial painting.(48) To regulate the Code for Children and Adolescents regarding hazardous work, Resolution No. 01677 of 2008 provides a more extensive list of activities identified as the worst forms of child labor within 11 occupational categories and subcategories. These include agriculture, livestock raising, hunting and forestry, fishing, mining and quarrying, manufacturing, construction, transport and storage, health services, and defense; they also include informal-sector activities such as street vending, domestic service, and garbage scavenging and recycling.(17) During the reporting period, the Government of Colombia increased the fines for labor violations, including those involving child labor, from up to 100 times minimum monthly wage to up to 500 times the minimum monthly wage. The Government also passed legislation to ratify ILO Convention 189 concerning decent work for domestic workers.(48-50)

The Code for Children and Adolescents authorizes family ombudspersons (municipal government officials charged with protecting children's rights) to penalize parents or legal guardians for failing to protect children against economic exploitation; the worst forms of child labor; work harmful to the health, safety, and integrity of children; or work that limits children's right to education. Penalties include fines of up to 100 times the minimum monthly wage as well as imprisonment.(47)

International Conventions and Selected Laws on Child Labor and Education

	C138, Minimum Age	✓
	C182, Worst Forms of Child Labor	✓
	CRC	✓
	CRC Optional Protocol on Armed Conflict	✓
	CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
	Palermo Protocol on Trafficking in Persons	✓
	Minimum Age for Work	15
	Minimum Age for Hazardous Work	18
	Compulsory Education Age	15
	Free Public Education	Yes

The Constitution prohibits slavery, servitude, and human trafficking; the Penal Code establishes sanctions for violations of these prohibitions.(51) The Penal Code penalizes child trafficking and commercial sexual exploitation of children (including prostitution, pornography, and sex tourism) with incarceration and fines.(52) It also punishes the use and recruitment of children for begging and illicit activities.(52) Laws 1336 of 2009 and 679 of 2001 penalize tourism agencies and hotel owners that facilitate child sex tourism with fines and cancellation of their right to operate; These laws also require that tourism agencies, airlines, and hotels adopt a code of conduct to prevent commercial sexual exploitation of children.(53, 54)

The Penal Code punishes crimes involving the use of minors in cultivating, manufacturing, and trafficking illegal drugs, as well as the use of minors in terrorist activities.(52) Law 975 of 2005 establishes that non-state armed groups must place all underage recruits under the care of the Colombian Institute for Family Well-being (ICBF) in order to participate in the Government's demobilization process.(55) The Code for Children and Adolescents, the Intelligence Law, and directives by the Ministry of Defense prohibit members of the National Armed Forces from using children in intelligence activities or operations, while the Penal Code sets penalties for the recruitment and involvement of minors in the armed conflict.(47, 52, 56-58)

Colombia's law establishes compulsory education until the age of 18 and free education through high school.(59, 60) Under Law 548 of 1999, the National Armed Forces are banned from recruiting minors younger than age 18.(61, 62)

Colombian legislation relevant to the worst forms of child labor undergoes frequent changes. However, it is not clear whether those changes are effectively disseminated to the general public or specific relevant groups, including enforcement officials, employers, and civil society organizations.(63)

Institutional Mechanisms for Coordination and Enforcement

The Interagency Committee for the Elimination of the Worst Forms of Child Labor coordinates efforts to combat the worst forms of child labor. It is chaired by the Ministry of Labor (MOL) and includes 13 government agencies and representatives from trade unions, business associations, and civil society organizations.(64) The National Interagency Committee for the Prevention and Eradication of Child Commercial Sexual Exploitation directs efforts to combat the commercial sexual exploitation of children. It is also led by the MOL and includes 11 government agencies and representatives from business associations, trade unions, and civil society organizations.(53, 65) The Interagency Committee to Combat Trafficking of Persons leads efforts to combat human trafficking. It is chaired by the Ministry of Interior (MOI) and includes 14 government agencies such as the MOL, the Ministry of Justice, the ICBF, and the Attorney General's Office (AGO).(66, 67) To strengthen interagency coordination, the MOL also participates in working groups to combat child labor in mining, in indigenous communities, and child begging.(68, 69). In 2012, the Government of Colombia expanded the scope of the Interagency Committee for the Prevention of the Recruitment and Use of Children by Illegal Armed Groups to include sexual violence against children perpetrated by non-state armed groups. This committee continues to be coordinated by the Colombian Vice President and includes 21 government agencies.(70)

Despite these efforts, it is not clear how effectively these interagency mechanisms coordinate activities and exchange information. Local authorities and international organizations have cited such lack of coordination as one of the main obstacles to addressing child labor and human trafficking.(5, 29)

Child labor laws are enforced by the MOL, the MOI, the National Police (CNP), the ICBF, the AGO, the Offices of the Inspector General (IGO), the General Comptroller, and the National and Municipal Ombudsmen (ONO).(71) The CNP,

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AGO, IGO, and ONO have established children and youth units to enforce child labor legislation.(47, 71)

The MOL has 545 labor inspectors. In 2012, they conducted 10,006 general labor inspections and 1,638 additional inspections to verify labor conditions for adolescent workers.(71-74) The MOL further conducted 17,346 labor investigations, including 76 for violations of child labor laws. As a result of these 76 investigations, the MOL imposed five sanctions that totaled more than \$14,000.(71, 74) However, there is no information publicly available about the number of working children who were found as a result of the inspections or whether the fines have been collected.

The MOL operates a child labor monitoring system that, as of February 2013, had identified more than 43,000 children engaged in child labor and 92,000 children at risk of working. The purpose of the monitoring system is to refer identified cases to the ICBF, which has a mandate to provide social services to these children to remove or prevent them from entering into child labor.(75) However, there is no information on whether the children identified by the MOL were referred to or received social services. The ICBF also receives complaints regarding child labor; between January and July 2012, it received 780 complaints.(76) However, it is unclear whether the ICBF forwarded the child labor complaints to the MOL and whether the ICBF took any follow-up actions to investigate these complaints.

To combat child labor in mining, the ICBF requires that its regional offices work with the MOL and other government agencies to coordinate responses. The regional offices are required to collaborate with labor inspectors in periodic inspections of mines and quarries, provide social services to children who are found working, and notify the relevant authorities of child labor infractions.(77) However, it is unclear whether these requirements are actually implemented in practice.

During the reporting period, the Government approved Law 1610 of 2013, which clarified the main responsibilities of the labor inspectorate system. These include ensuring that labor laws are obeyed, that sanctions are imposed, that conciliation and mediation are used to solve labor conflicts, and that gaps in enforcement are overcome.(50) The Government also established a national inspection system led by the MOL to coordinate labor law enforcement activities with all relevant government agencies that carry out on-site inspections.(78) The MOL trained inspectors in a number of areas, including on labor inspection procedures, child labor, and occupational health hazards.(77) Despite these important efforts, the

Government of Colombia acknowledges that labor inspectors lack the resources to effectively carry out all their duties.(71)

In April 2011, the United States and Colombia jointly agreed to the Colombian Action Plan Related to Labor Rights—an agreement to address serious and immediate labor concerns in Colombia.(79) In 2012, the USDOL funded a 4-year, \$4.82 million project to help Colombia strengthen the institutional capacity of the MOL to enforce labor laws, improve protective measures for trade union leaders, and promote social dialogue. Through these efforts to strengthen worker rights and improve working condition, the project should also lead to improvements in livelihoods for families and children at risk of child labor, particularly in sectors such as sugar production and mining.(79, 80)

The MOI leads efforts to combat trafficking, including operating a hotline. Between January and November 2012, the hotline received 9,477 calls.(12, 71) The ICBF also has a hotline to report cases of child commercial sexual exploitation and trafficking (separate from its child labor hotline). In 2012, it received reports of 260 cases of child commercial exploitation, including 36 cases of child pornography and 39 cases of child trafficking.(81) The ICBF, in partnership with civil society organizations, also launched an Internet hotline to combat child commercial sexual exploitation and pornography. As of August 1, 2012, it had received more than 200 complaints.(82) In addition to operating the trafficking hotline, the MOI tracks trafficking cases, coordinates investigations, and facilitates access to social services for victims.(12, 71) It is unclear whether these complaints were forwarded to or investigated by the relevant authorities.

The AGO and the CNP also investigate cases of commercial sexual exploitation and human trafficking.(29) During the reporting period, the Government conducted 14 operations involving these crimes, identified 38 victims of trafficking, and assisted 36 of them. It also opened 126 cases, captured 18 people suspected of human trafficking, and initiated 18 prosecutions.(29) The AGO convicted 10 individuals on human trafficking charges.(29) No information is available about how many of these cases involved children. The Government has acknowledged that it lacks adequate resources to effectively conduct investigations and prosecutions of human trafficking cases.(29)

In February 2013, the MOL and UNODC signed an agreement to combat human trafficking for the purpose of labor exploitation. Under this agreement, UNODC will carry out research to determine the prevalence and risk factors of this crime and develop tools for labor inspectors to identify,

address, and refer cases of human trafficking to the appropriate criminal authorities.(83) The Government of Colombia also partnered with UNODC to train officials from the AGO, the ICBF, the ONO, and the IGO as well as local law enforcement officials on how to respond to human trafficking. In addition, UNODC trained 721 officials from the MOI on human trafficking.(29) In 2012, the Ministry of Health and Social Protection established a protocol to provide health services to victims of sexual violence, including child victims of commercial sexual exploitation and trafficking.(84)

The ONO operates an early warning system to prevent the recruitment of children by illegal non-state armed groups, and the AGO investigates and prosecutes cases of child recruitment.(36) According to the Colombian government, the AGO has investigated approximately 2,000 cases of child recruitment during the reporting period. The Justice and Peace Court sentenced one paramilitary leader to 7 years in prison for recruitment of children, among a number of other crimes.(85) In 2012, there were no reported cases of the use of children as informants by members of the National Armed Forces.(86) The Armed Forces continued to operate 566 centers to submit human rights-related complaints throughout the country, which are monitored and evaluated by the Armed Forces' IGO.(58)

During the reporting period, the AGO developed a set of criteria to prioritize cases and use its resources more effectively; if the crime involves the recruitment of children by non-state armed groups, the case will be given top priority.(87) The Armed Forces also began setting up a database system to track human rights-related complaints; this system will be linked to the relevant criminal and judicial authorities.(58) The Government, in partnership with UNICEF, trained more than 800 members of the police and armed forces on international humanitarian law and on the protection of the rights of children in armed conflict. In addition, the National Police's mobile training teams replicated this training, and 11,000 police officers participated.(88) The Ministry of Defense trained 3,000 members of the Armed Forces on children's rights.(89)

Government Policies on the Worst Forms of Child Labor

The National Strategy to Eradicate the Worst Forms of Child Labor (2008-2015) is the primary policy framework for addressing the worst forms of child labor in Colombia. In 2012, the MOL helped 270 municipalities—an increase from 262 municipalities in 2011—improve their capacity to implement the National Strategy and announced that it

will target nine priority sectors in which to combat child labor.(64, 90) These sectors include coffee, tobacco, sugarcane, mining, street work, garbage scavenging, the illegal sale of gasoline, and the recruitment of children by non-state armed groups.(90) Despite these efforts, a 2012 report by the IGO on the implementation of the National Strategy in 2011 indicates that some of the country's provinces and main cities have neither fully implemented it nor allocated funding for child labor initiatives.(91)

Law 985 of 2005 and the National Strategy to Combat Trafficking in Persons (2007-2012) guide government efforts to combat human trafficking, including the trafficking of children. The National Policy to Prevent the Recruitment of Children and Adolescents by Illegal Armed Groups guides actions to prevent the recruitment and use of children by non-state armed groups.(28, 66, 92)

The Government of Colombia has mainstreamed child labor concerns into the National Development Plan (2010-2014), the 10-Year National Plan for Children and Adolescents (2009-2019), and the National Strategy to End Extreme Poverty.(93-95)

In 2012, the Government released the results of the 2011 child labor survey. The survey includes current estimates of the number of working children in Colombia, including by sector of work.(96) However, the survey does not include in-depth information about child labor-related health, occupational safety, or other risks, nor does it attempt to gather data on hard-to-reach populations, such as children involved in commercial sexual exploitation or illicit activities. The Ministry of Education released the results of the national school desertion survey, which identifies child labor as one of primary causes of school desertion in the Caribbean and Pacific regions of Colombia.(97, 98) In November 2012, the MOL, along with local child labor committees, ILO-IPEC, and the Association of Sugarcane Growers, conducted a child labor baseline survey in five sugarcane-growing municipalities, which identified more than 400 children working in the collection of post-harvest residual sugarcane. The survey also identified more than 4,000 additional children engaged in other activities such as agriculture and construction, and 4,216 children at risk of entering into child labor.(99)

Social Programs to Eliminate or Prevent the Worst Forms of Child Labor

During the reporting period, the Government continued to implement actions in support of the National Strategies to Eradicate the Worst Forms of Child Labor and to Combat

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Trafficking in Persons. It carried out awareness-raising campaigns to combat child labor, child commercial sexual exploitation, sex tourism, and human trafficking, and it assisted victims of such practices.(29, 71, 100) The Government funded a \$1.6 million ILO project to promote social dialogue and good practices in combating child labor developed by government agencies, employers, unions, and civil society organizations in Colombia and other Latin American countries.(101, 102)

In 2012, the Government conducted national campaigns to prevent the recruitment of children by non-state armed groups. It continued to partner with UNICEF on a campaign to prevent the recruitment of children by these groups; the campaign has reached more than 47,000 children.(71, 88, 89) The ICBF removed 483 children who were recruited by non-state armed groups during 2012.(71) The program also launched the Healthy Generations program, previously known as Juvenile Clubs, to promote children's rights and ensure they are protected. This program provides cultural and recreational activities to children ages 6 to 17 who are identified as vulnerable to child labor and recruitment by non-state armed groups.(103) In 2012, the program benefited more than 122,000 children in 669 municipalities.(103-105) The ICBF also partnered with Telefónica Foundation to carry out an awareness-raising campaign using smartphones to report cases of child labor to relevant authorities and began to implement an initiative aimed at children and adolescents in urban areas. The latter initiative includes actions to prevent child labor, including child commercial sexual exploitation and the recruitment of children in non-state groups.(106, 107)

To reduce poverty, the Government of Colombia supports Families in Action, a conditional cash-transfer program that benefits 2.6 million families.(103, 108, 109) In 2012, the Government converted the Families in Action Program into a national policy with a guaranteed budget allocation regardless of changes in political administration. The Families in Action Program seeks to end and prevent poverty as well as build human capital through conditional cash transfers.(110) This program will be implemented throughout the country and target vulnerable families with children, including displaced and indigenous families. Families will be required to ensure that their children attend school, do not work, and are not subject to malnutrition, physical and sexual abuse, or fail to receive cash subsidies.(110) The Families in Action program

also began to develop specific strategies to prevent child labor in mining and fight teen pregnancy, support poor families with disabled members, and improve child nutrition.(111) A 2011 evaluation of Families in Action found that the program has increased high school completion rates among child beneficiaries—particularly girls and rural children—and that it has improved infant health.(112)

The Government also implements the United Network program to promote coordinated actions to reduce inequality and end extreme poverty, including through access to social services such as education, health, and job training. It benefits 1.4 million families in 1,037 municipalities.(103, 113) In 2012, the Government launched the Youth in Action program, which will complement the Families in Action and the United Network programs and will be aimed at vulnerable urban youth ages 16 to 24.(114) Youth in Action will enroll 120,000 young people and provide technical job training opportunities and a conditional cash transfer to program participants.(115)

To improve access to education, the Government implements initiatives to keep children in school, such as a national awareness-raising campaign to increase enrollment and a program that provides meals to children attending school. During the reporting period, the Government continued to provide meals to more than 4 million school children across the country.(116, 117) In 2012, the Government began to provide free public education from kindergarten through high school, increased public school capacity by 41,000, and enrolled 68,000 children from rural areas.(118) Under the Fund to Assist Children and After-School programs, more than 450,000 children participated in after-school programs, including children vulnerable to child labor.(119)

Colombia continued its participation in the MERCOSUR's Southern Child Initiative and the Regional Action Group for the Americas. The Southern Child Initiative aims to defend the rights of children and adolescents in the region by raising awareness about the commercial sexual exploitation of children, improving country legal frameworks, and exchanging best practices.(120-122)

Colombia is also a member of the Joint Regional Group for the Americas, which conducts child labor prevention and awareness-raising campaigns.(123, 124)

Based on the reporting above, the following actions would advance the elimination of the worst forms of child labor in Colombia:

Area	Suggested Actions	Year(s) Action Recommended
Coordination and Enforcement	Better disseminate information on child labor, including by <ul style="list-style-type: none"> • Providing up-to-date information about changes in child labor legislation to provincial and municipal governments and to labor inspectors and law enforcement officials. • Establishing a one-stop online tool with updated information about child labor laws for employers, social-service providers, workers, and families. 	2009, 2010, 2011, 2012
	Develop mechanisms to enhance coordination among interagency committees, including by improving coordination between the ICBF and MOL to enforce child labor laws and provide services to children engaged in or at risk of entering into child labor.	2012
	Include the cessation of the recruitment of children by the FARC as part of the formal peace negotiations.	2012
	Strengthen monitoring and enforcement of child labor–related laws, including by <ul style="list-style-type: none"> • Making information publicly available about child labor law enforcement efforts such as the number of complaints forwarded and investigated, the number of violations identified, the number of children rescued from child labor, including human trafficking, and the number and amount of fines imposed and collected for child labor violations. • Ensuring that children identified by the MOL's child labor monitoring system are withdrawn from child labor and receive appropriate social services. • Ensuring that labor inspectors have adequate equipment and resources to perform inspections in priority areas with reported high incidences of child labor. • Providing adequate resources to law enforcement officials to conduct investigations and secure convictions for cases of human trafficking and other illicit exploitation of children. 	2009, 2010, 2011, 2012
Policies	Strengthen the implementation of the National Strategy to Combat the Worst Forms of Child Labor by <ul style="list-style-type: none"> • Increasing resources to municipalities and provinces to implement action plans to combat the worst forms of child labor, with a focus on identified priority areas. • Encouraging, including through financial and technical assistance incentives, municipalities and provinces to carry out activities related to the worst forms of child labor, with a focus on identified priority areas. 	2010, 2011, 2012
Social Programs	Carry out initiatives to combat child labor in agriculture with a focus on identified priority sectors such as coffee, tobacco, and sugarcane.	2012

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Area	Suggested Actions	Year(s) Action Recommended
Social Programs	Collect more disaggregated survey information about activities, sectors, and geographical areas where children work, including information about health, occupational safety, and other risks.	2010, 2011, 2012
	Conduct studies on the worst forms of child labor such as work in agriculture, street work, the recruitment of children by illegal armed groups, and children's involvement in other illicit activities, including commercial sexual exploitation, trafficking, illegal mining, coca cultivation, and drug trafficking.	2009, 2010, 2011, 2012

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